

**ORDERED** that defendants, Kmart Corporation and American Greetings Corporation, be dismissed from this case with prejudice and from any and all other responsibilities connected with this matter and that this cause be and the same is hereby dismissed with prejudice to the refiling of same as to defendants. The filing and service fees associated with the state court action are taxed to the defendants for which execution may issue if necessary.

Further, plaintiff's counsel, by his signature hereto, hereby advises and represents to the court that any Medicare, TennCare, Workers Compensation, attorney liens, hospital liens, or other subrogation liens or interests, have been or will be satisfied from the settlement proceeds, including any subrogation interests of the State of Tennessee or any entity acting pursuant to T.C.A. § 71-5-117(f).

**s/ J. Daniel Breen**  
UNITED STATES DISTRICT COURT JUDGE

APPROVED FOR ENTRY:

LEWIS, KING, KRIEG & WALDROP, P.C.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 21st day of May, 2013, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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/s/ John R. Tarpley